## REMARKS

This application has been reviewed in light of the Office Action dated August 10, 2005. Claims 1, 3-9, 11-17, and 19-24 are presented for examination, of which Claims 1, 9, and 17 are in independent form. Claims 1, 3-5, 9, 11-13, 17, and 19-24 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

In connection with the initialed PTO-1449 form mentioned in the Office Action, Applicant has located an initialed copy of the form via the PAIR system, and attached is a paper copy of the Examiner's convenience.

The Office Action states that Claims 1, 3-9, 11-17, and 19-24 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has carefully reviewed and amended independent Claims 1, 9, and 17, as deemed necessary, with special attention to the points raised in section 5 of the Office Action. In particular, the independent claims have been amended to clarify the nature of the link back element and so to distinguish that element from a traditional node that may be formed within a hierarchical tree representation or structure.

Applicant understands that, in any hierarchical tree representation, any node will be linked upwardly, downwardly, or both, to other nodes in the tree. However, according to an aspect of the present invention, the role of the link back node is significantly different from a traditional node formed within a tree structure. In particular, the link back node is created and incorporated into the HTML code to provide a mechanism by which poorly formed HTML can be made to comply with strict HTML.

In view of the above discussion and the amendments to the independent claims, it is believed that the rejections under 35 U.S.C. § 112, second paragraph, have been obviated. Therefore, withdrawal of the rejections is respectfully requested.

The Office Action states that Claims 1, 4-7, 12-17, and 20-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,558,431 (Lynch et al.) in view of the publication entitled "C++ Templates and Tools" (Ladd); and that Claims 3, 11, and 19 are rejected under § 103(a) as being unpatentable over Lynch et al. in view of U.S. Patent No. 6,035,326 (Miles et al.). Applicant respectfully traverses the rejections and submits that independent Claims 1, 9, and 17, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to restructuring an input HTML document to comply with strict HTML. The input HTML document is lincarly traversed to create a hierarchical tree structure representation. The traversal maintains a current insertion point for elements within the tree structure representation and, during the traversal, elements of the input HTML document that violate strict HTML are identified.

For each identified element, the tree structure representation is retraced from the current insertion point to identify a further insertion point from which the identified element can depend. The retracing includes noting one or more elements passed during the retracing. Additionally, for each identified element, the identified element is appended at the further insertion point, and new elements are created in the tree structure representation corresponding to the noted one or more elements passed during the retracing. The new elements are created in reverse chronological order to an order in which the noted one or more elements were passed

during the retracing. Further, for each identified element, each new element is appended to the identified element as a link back element, which includes a link to a corresponding noted element of the noted one or more elements.

One of the notable features of Claim 1 is that step (b)(I) discusses noting one or more elements passed during the retracing. Step (b)(iii) then creates new elements in the tree structure corresponding to each of the previously noted elements. The ordering of the elements is maintained in step (b)(iii), and in step (b)(iv) each new element is appended to the identified element as a link back element, which includes a link to a corresponding previously noted element. This feature is illustrated in the tree structure shown in Fig. 2F of the present application, and does not include a traditional link contained within a traditional hierarchical tree structure. The link back element (224) traverses between branches of the tree structure and is operative to correct the functionality of a poorly formed HTML document, as described in the specification. Traditional links in traditional hierarchical trees form the branches of the tree, but do not link nodes in different branches.

Applicant submits that a combination of Lynch et al. and Ladd, assuming such combination would even be permissible, would fail to teach or suggest a computer-implemented method of restructuring an input HTML document to comply with strict HTML, in which the method includes "(b) during the traversal, identifying elements of the input HTML document that violate strict HTML, and, for each identified element: (b)(I) retracing the tree structure representation from the current insertion point to identify a further insertion point from which the identified element can depend, the retracing comprising noting one or more elements passed during the retracing; (b)(ii) appending the identified element at the further insertion point; (b)(iii)

creating new elements in the tree structure representation corresponding to the noted one or more elements passed during the retracing, the new elements being created in reverse chronological order to an order in which the noted one or more elements were passed during the retracing; and (b)(iv) appending each new element to the identified element as a ink back element, wherein the link back element comprises a link to a corresponding noted element of the noted one or more elements," as recited in Claim 1.

As acknowledge in the Office Action, Lynch et al. does not disclose a significant number of features of the present invention. The Office Action asserts that those features not disclosed by Lynch et al. are found in Ladd. Reference is made to page 193 of Ladd, which illustrates the deletion of a parent node from a tree structure. That deletion, however, does not create a link back node as described in the specification and claimed in the Claim 1. Further, the deletion of the node in Ladd inherently changes the tree structure, which is something not desired in correcting poorly formed HTML documents. Changing HTML code in the fashion shown in Figure 5.8 of Ladd would result in a different document being produced, which is contrary to the purpose of the invention of Claim 1.

More specifically, on page 6 of the Office Action, it is asserted that child elements linking back to their parent element correspond to the link back element of the present invention. As discussed above, however, these features are clearly distinguished through the link back element traversing branches of the tree structure whereas a traditional link between child and parent nodes is not one that traverses branches of the tree structure, but rather is implicit in the representation of the tree structure.

As clearly shown in Fig. 2F of the present application, an aspect of the present invention operates to create duplicate nodes in a newly formed branch of the tree, and then to create a link back to the original branch so as to ensure correct interpretation and execution of the code of the newly formed branch. There is no disclosure contained in Ladd of manipulating the tree structure by adding to it and creating links between branches in order to correct poorly formed HTML documents.

Further, Ladd describes tree structures in general, but is silent regarding HTML coded tree structures. Therefore, Applicant respectfully submits that one of ordinary skill would not look to combine Lynch et al. with Ladd

Accordingly, Applicant submits that Claim 1 is patentable over the cited references and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 9 and 17 include features similar to those discussed above and therefore are believed to be patentable for at least the same reasons discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. However, because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the this Amendment. If, however, such a petition is required to make this

Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

## CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

| ATTY DOCKET NO. | APPLICATION NO. |
|---|---|
| 00169.001936. | 09/737,589 |
| APPLICANT | |
| JULIAN BENJAMIN KELSEY | |
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| December 18, 2000 | 2176 |

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U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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FOREIGN PATENT DOCUMENTS

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|---|---|---|---|---|---|---|---|
| PN | EP | 790581 | 08/20/97 | Europe | | | |
| PN | WO | 97/33437 | 09/12/97 | PCT | | | |
| PN | WO | 99/53469 | 10/21/99 | PCT | | | |
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER Paul Yanez DATE CONSIDERED 5/12/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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